

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

RESOLUTION NO. 2011- _____

A RESOLUTION OF THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT AUTHORIZING THE PAYMENT OF AN ADDITIONAL \$258,360 TO THE U.S. ARMY CORPS OF ENGINEERS TO CONSTRUCT INFRASTRUCTURE RELOCATIONS ON BEHALF OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT PURSUANT TO THE LETTER AGREEMENT WITH THE U.S. ARMY CORPS OF ENGINEERS AND THE PROJECT PARTNERSHIP AGREEMENT FOR THE INDIAN RIVER LAGOON SOUTH PHASE 1 PROJECT, FOR WHICH AD VALOREM FUNDS ARE BUDGETED; PROVIDING AN EFFECTIVE DATE.

WHEREAS, on September 9, 2010, the South Florida Water Management District (District) entered into a Project Partnership Agreement with the U.S. Department of the Army (Contract No. 4600002153) for the construction, operation, maintenance, repair, replacement and rehabilitation of the Indian River Lagoon South Phase 1 Project; and

WHEREAS, one of the components of the Indian River Lagoon South Phase 1 Project is the C-44 Reservoir and Stormwater Treatment Area (C-44 Project) located in Martin County; and

WHEREAS, in order for construction to proceed on the C-44 Project component, certain relocation work needs to be undertaken with respect to Citrus Boulevard (County Road 726), in Martin County, including bridge/canal construction, culvert replacement, and lane widening; and

WHEREAS, under the Project Partnership Agreement, such relocation work is the responsibility of the District and the costs of such work are credited to the District share of C-44 Project costs; and

WHEREAS, it is more cost-effective and expeditious for the U.S. Army Corps of Engineers (USACE) to undertake such work as part of its C-44 Project construction efforts; and

WHEREAS, on November 3, 2010, the District entered into a Letter Agreement with the USACE in which the USACE agreed to perform on behalf of the District such relocation work as part of the USACE C-44 Project construction;

WHEREAS, in accordance with the Letter Agreement, the District advanced to the USACE the sum of \$1,983,000 for such relocation work, which was based on an USACE estimate; and

WHEREAS, in accordance with the Letter Agreement, the District advanced to the USACE the additional sum of \$170,000 for such relocation work, which was based on the bid proposal amount received by the USACE for the relocation features; and

WHEREAS, the USACE has informed the District that the District is required to advance an additional \$258,360 to the USACE for such relocation work in order for the USACE to continue with the C-44 Project construction efforts.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT:

Section 1. The Governing Board of the South Florida Water Management District hereby authorizes advancing to the U.S. Army Corps of Engineers the additional sum of \$258,360 to construct the Citrus Boulevard relocation work on behalf of the South Florida Water Management District in accordance with the November 3, 2010, Letter Agreement, and September 6, 2011 additional payment request, for which ad valorem funds are budgeted.

Section 2. This resolution shall take effect immediately upon adoption.

PASSED and **ADOPTED** this _____ day of _____, 2011.

SOUTH FLORIDA WATER MANAGEMENT
DISTRICT, BY ITS GOVERNING BOARD

By:

Chair

ATTEST:

District Clerk/Secretary

Approved as to form:

By:

Office of Counsel